

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte: HONGYU YUE AND WESLEY NATZLE

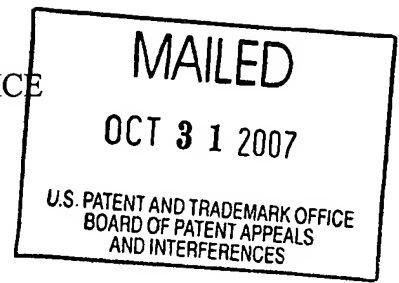
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Application No. 10/817,417

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was received electronically at the Board of Patent Appeals and Interferences on October 3, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

**EXAMINER'S CONSIDERATION OF AMENDMENT**

The Examiner must consider and acknowledge receipt of the Amendment filed December 22, 2006, via written communication.

MPEP § 1206 states:

Examiners must respond to all amendments filed after appeal has been taken and prior to termination of the appeal. If the examiner indicates (in the advisory action) that an amendment would be entered, it is imperative for the examiner to also state (in the same advisory action) how the individual rejection(s) set forth in the final Office action will be impacted by the entry of the amendment except where an amendment merely cancels claims.

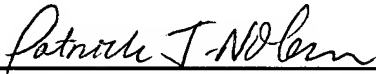
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Accordingly, it is

**ORDERED** that the application is returned to the Examiner:

- 1) for the examiner to consider the Amendment filed December 22, 2006; and
- 2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:   
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PJN/tsj

cc: TOKYO ELECTRON U.S. HOLDINGS, INC.  
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